

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Ramiro Barajas,

Case: 4:22-mj-30401

Assigned To : Ivy, Curtis, Jr

Assign. Date : 9/19/2022

Description: IN RE SEALED MATTER (kcm)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 31, 2021 & January 12, 2022 in the county of Genesee in the Eastern District of Michigan, the defendant(s) violated:

Code Section

18 U.S.C. § 922(g)(2) and 18 U.S.C. § 922(g)(3)

Offense Description

Having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, and knowing that he was an unlawful user of a controlled substance, specifically methamphetamine, knowingly possessed, in or affecting commerce, firearms and ammunition

This criminal complaint is based on these facts:

On or about August 31, 2021 and on January 12, 2022, in the Eastern District of Michigan, Ramiro Cox Barajas, knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, and knowing that he was an unlawful user of a controlled substance, specifically methamphetamine, knowingly possessed, in or affecting commerce, firearms and ammunition in violation of 18 U.S.C. § 922(g)(2) and 18 U.S.C. § 922(g)(3).

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: September 19, 2022

City and state: Flint, MI



Complainant's signature

Dustin Hurt, Special Agent, ATF

Printed name and title



Judge's signature

Curtis Ivy, Jr., United States Magistrate Judge

Printed name and title

AFFIDAVIT

1. I have been employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) since October of 2018. I am currently assigned to the Detroit Field Division, Flint Field Office. Before working for the ATF, I was employed by the Michigan Department of State Police (MSP) for approximately seven years. Before working for MSP, I was a local police officer for the Grand Ledge Police Department for approximately three years. I held numerous positions with the MSP, including Detective Sergeant in the Polygraph Unit and Task Force Officer with the FBI. During my employment with ATF and MSP, I have conducted or participated in numerous criminal investigations focused on firearms, armed drug trafficking, and criminal street gangs, and other violations of federal law.

2. I make this affidavit from personal knowledge based on my participation in this investigation, my review of reports and other materials prepared by those who have personal knowledge of the events and circumstances described herein, and information gained through my training and experience. The information outlined below is provided for the limited purpose of establishing probable cause and does not contain all details or all facts of which I am aware relating to this investigation.

3. Based on the information below, there is probable cause that on August

31, 2021 and on January 12, 2022, in the Eastern District of Michigan, Ramiro Cox Barajas, knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, and knowing that he was an unlawful user of a controlled substance, specifically methamphetamine, knowingly possessed, in or affecting commerce, firearms and ammunition.

August 31, 2021

4. On Tuesday August 31, 2021, at approximately 2040 hours, Michigan State Police (MSP) Troopers Whipple and Minchella were on patrol in a fully marked patrol vehicle. The troopers observed a blue GMC Yukon traveling eastbound on Corunna Rd. The Yukon made an abrupt turn from Corunna Road onto northbound Mann Avenue. Troopers drove their patrol vehicle behind the Yukon and observed several equipment violations. Among the violations, the troopers observed that the Yukon did not have operable brake lights and did not have a registration plate affixed to the vehicle. The troopers conducted a traffic stop and made contact with the driver, Ramiro Cox Barajas (h/m XX/XX/1978), who was identified by his Michigan Driver's License. Barajas advised he did not have insurance on his vehicle and was placed into handcuffs at this time pending further investigation.

5. A Trooper searched Barajas and found methamphetamine in his pocket.

6. A Trooper searched the Yukon and found a pistol laying on the floorboard near the rear passenger seat. The barrel of the pistol was pointing towards the rear passenger door. The firearm, a Smith & Wesson Model: M&P Shield EZ .380 caliber pistol bearing S/N: NJJ3572, had a loaded magazine and one live round in the chamber. A further search located an ammunition box near the pistol with only 6 live rounds of .380 ammunition inside. This ammunition matched the caliber of the Smith & Wesson pistol located.

7. A Trooper advised Barajas of his *Miranda* rights. Barajas advised he understood his rights and was willing to answer questions from the troopers. Barajas explained that he used methamphetamine because he was going through a divorce. Barajas advised he didn't want to tell the troopers about the gun initially because he was a convicted felon. Barajas said it's "wild out here."

8. Barajas was transported to the Flint City Jail where he was processed and lodged. During the search at the jail, a police officer found a white corner tie baggie stuffed between the right pant leg and the underwear of Barajas. The baggie contained approximately four additional grams of methamphetamine.

9. Trooper Minchella utilized a TruNarc drug field test on the suspected narcotics seized from Barajas. The TruNarc was positive for the presence of methamphetamine.

10. ATF Special Agent (SA) Hurt conducted a custodial interview of Barajas while incarcerated at the Genesee County Sheriff's Office. Barajas admitted to possessing the firearm and methamphetamine located on him during this traffic stop by MSP. Barajas added he was using meth as a coping mechanism for marital issues with his wife and was carrying the pistol for his protection.

January 12, 2022

11. On January 12, 2022, at approximately 1545 hours, MSP Trooper Hatfield was conducting stationary radar on I-69 when he observed a black Lincoln Navigator traveling eastbound. As the Navigator passed Trooper Hatfield, he observed that there was no license plate affixed to it. The Navigator exited the freeway onto Irish Road traveling Southbound. Trooper Hatfield drove his patrol vehicle and caught up with the Lincoln Navigator at the intersection of Irish Road and Lapeer Road and he activated his emergency lights. The Navigator turned Westbound onto Lapeer Road and into the Sunoco parking lot. The driver then drove through the parking lot and exited back onto Irish Road when Trooper Hatfield activated his sirens. The vehicle turned into the parking lot of Universal Solutions. The driver then drove to the rear of the parking lot, stopped, and the driver fled Southbound on foot.

12. Trooper Hatfield exited his patrol car, advised the passengers to stay in the vehicle, and pursued the driver on foot while giving commands to stop. The driver ran into a wooded area and crossed Kearsley Creek, Trooper Hatfield stopped pursuing after he crossed the creek. The driver was a Hispanic male wearing blue sweatshirt and gray sweatpants. As the driver fled, he dropped a brown wallet and contents in the snow. Among the contents was an Indiana Operator's License belonging to the driver, Ramiro Barajas. When Trooper Hatfield returned, both passengers had fled the vehicle. A K9 and additional units were requested. The two other passengers were later located by other responding officers and identified as Lauren Anthony Stratton (w/m XX/XX1987) and Danae Leigh Timmer (w/f XX/XX1985).

13. Officer Thorpe with The Davison Township Police Department located the driver, Ramiro Barajas, behind the residence of 7485 Wren Drive, in Davison. Barajas was taken into custody without any incident.

14. Trooper Hatfield was assisted on scene by Trooper Purdy (K930) and Trooper McGuckin (K939). Trooper Purdy and his K9 followed Barajas' tracks to the wooded area where he found a loaded black 9mm pistol magazine. Trooper Purdy located a loaded pistol underneath an air conditioning unit behind the

residence at 7485 Wren Dr. The pistol was a SCCY Industries model: CPX-1, 9mm caliber pistol bearing S/N: 323620. The firearm was reported stolen.

15. Trooper Hatfield searched the Navigator and located a black backpack which contained hair cutting equipment and mail addressed to Barajas. Two 9mm rounds of ammunition and two pipes for smoking methamphetamine were also inside the backpack.

16. Once at the jail, Barajas spit out a clear zip lock baggie containing suspected methamphetamine. Also, officers found a piece of paper containing suspected cocaine/fentanyl inside of Barajas' wallet. Officers tested the substances using a TruNarc, which showed they were positive for the presence of their respective substance.

17. On January 13, 2022, at approximately 1600 hours, ATF SA Hurt and Genesee County Sheriff's Office (GCSO) Lieutenant Kennamer conducted a custodial interview with Barajas in an interview room at the GCSO related to the above listed incident. Lt Kennamer advised Barajas of his *Miranda* rights prior to the interview and Barajas advised he understood and agreed to speak. Barajas advised he observed a Michigan State Trooper on the highway and began speeding up and swerving to get stopped because he was in fear of one of his passengers. Once the MSP Troopers attempted to conduct the traffic stop, Barajas advised that he told

one of his passengers to give him the firearm (later identified as a SCCY Industries 9mm pistol model: CPX-1 bearing S/N: 323620) and the methamphetamine, ultimately located by the Genesee County Jail Booking in his mouth, so he could flee with them to save his own life. Barajas then fled on foot from the vehicle. He said he took the magazine from the firearm and left it in his path of travel so pursuing officers could locate him easily. Barajas admitted that his DNA would be on the pistol and the magazine because he possessed them and threw the magazine while fleeing. Barajas advised he had seen the firearm prior to the incident date.

18. As part of this investigation, I had an opportunity to query the criminal history of Barajas which yielded the following:

-On 6/8/99 – Barajas pled guilty in the 7th Circuit Court to Felony Assault with a Dangerous Weapon (CFN: 98-003339-FH).

-On 10/27/03 – Barajas was found guilty of criminal mischief 1st Degree – Felony as well as possession of a defaced firearm – felony.

19. I am recognized by ATF as having expertise in the interstate travel and manufacture of firearms. The Smith & Wesson, model M&P Shield EZ, .380 caliber pistol bearing S/N: NJJ3572 and the SCCY Industries, model CPX-1, 9mm caliber pistol bearing S/N: 323620 were manufactured outside of the state of Michigan and are firearms as defined in Chapter 44, Title 18, United States Code.

20. Based on the foregoing, Based on the information below, there is probable cause that on August 31, 2021 and on January 12, 2022, in the Eastern District of Michigan, Ramiro Cox Barajas, knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, and knowing that he was an unlawful user of a controlled substance, specifically methamphetamine, knowingly possessed, in or affecting commerce, firearms and ammunition in violation of 18 U.S.C. § 922(g)(2) and 18 U.S.C. § 922(g)(3).



Dustin Hurt
Special Agent
Bureau of Alcohol, Tobacco,
Firearms & Explosives

Sworn to before me and signed in my presence and/or by reliable electronic means on this 19th day of September, 2022.



Hon. Curtis Ivy, Jr.
United States Magistrate Judge